

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Satoshi HASHIMOTO et al.	Group Art Unit : 2716
Appl. No.	: 10/596,107	Examiner : Not Yet Assigned
Filed	: May 31, 2006	Confirmation No. : 2090
For	: REPRODUCTION DEVICE	

**REQUEST FOR RECONSIDERATION OF DISMISSAL OF PETITION TO MAKE
SPECIAL**

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Issue Fee
Randolph Building
401 Dulany Street
Alexandria VA 22314

Sir:

In response to the decision of dismissal dated January 29, 2008, in response to the petition filed August 23, 2006, under 37 C.F.R. § 1.102(d) and MPEP § 708.02 (VIII) for accelerated examination to make the present application special, Applicants respectfully request reconsideration of the dismissal in view of the following remarks taken together with the discussion in the original petition filed August 23, 2006.

Remarks begin on page 2 of this paper

REMARKS

In the decision on petition to make special mailed on January 29, 2008, the petition was dismissed for allegedly failing to adequately meet the requirement for “a detailed discussion of the references, which discussion points out with the particularity required by 37 C.F.R. § 1.111 (d) and (c), how the claimed subject matter is patentable over the references.” In the above noted decision, the Examiner asserted that the discussion in the original petition failed to specifically point out how the language of independent 1 claim patently distinguishes them from each of the references.

While Applicants sincerely believe that the discussion contained in the original petition was adequate to meet the requirements set forth, Applicants are submitting the following amplified discussion to even more clearly point out how the claimed subject matter patentably distinguishes over the noted documents.

In this regard, Applicants believe that the previous discussion may have resulted in some confusion because the previous discussion did not exactly follow the language of independent claim 1. In particular, the language quoted by the Examiner in the second paragraph of the second page of the decision is not a single limitation but is rather a synthesis of two different limitations contained in claim 1, which two limitations are not disclosed by either of the three document discussed in the petition. The following discussion is intended to supplement and clarify the previous discussion regarding the patentability of the claims over the noted documents.

Document 1 (JP 2001 -- 157175) discloses synchronization of a variety of media, for example, having different types of timing. For example, as set forth in paragraph [0178], media

created in advance, and collective management is performed. The media time management information has at least one reference timescale. The time management information comprises ID information for identifying media, a type of time managing media, a presence interval of data of media managed by the type of time, a mutual conversion formula between the local time and the absolute time (if required) and a mutual conversion formula between the time and the frame number. Information can be obtained with which a point capable of accessing visual data, audio data, still image or the like can be referred to from time or frame number. Thus, direct access can be provided from an arbitrary time or an arbitrary frame number of media.

In contrast, claim 1 recites a program executor that is operable to interpret and "execute the predetermined codes for storing the designated images and the rendition time corresponding to each image in the storage memory". In this regard Applicants note that the predetermined codes have been previously recited in the claim as "for designating images and a rendition time corresponding to each image". This feature is not disclosed by the above noted document.

In addition, claim 1 additionally recites an image selector operable to "select at least one image of the plurality of images based on (a) the playback timing of the video included in the control information and (b) the rendition time corresponding to each image stored in the storage memory". In this regard, Applicants note that the control information is previously recited in the claim as being included in the video stream and "specifying a playback timing of video of the videos stream". This feature is additionally not disclosed by the above noted document.

Accordingly, the combination of features recited in Applicants' claim 1 is thus patentable over the above-noted document based on the lack of a disclosure of each of the above noted

features and certainly based on the lack of a disclosure of both of the above-noted features in the document.

Document 2 (JP 2005 -- 92971) discloses a reproduction control program for a DVD player connected to a home video game machine comprising instructions for acquiring identification information of contents recorded on the optical disc, reproduction starting position of the contents, reproduction times of the content, and information for specifying the contents to be reproduced. The content stored in the disc are reproduced based on the acquired information. While this document discloses a reproduction control program that enables reproducing desired contents reliably, Applicants respectfully submit that this document nevertheless does not disclose, suggest, or otherwise render obvious the above noted features recited in Applicants' claim 1.

In particular, this document also does not disclose a program executor operable to interpret and "execute the predetermined codes for storing the designated images and the rendition time corresponding to each image in the storage in memory" as well as an image selector operable to "select at least one image of the plurality of images based on (a) the playback timing of the video included in the control information and (b) the rendition time corresponding to each image stored in the storage memory". Applicants again note that the control information and the predetermined codes are each previously defined in pending claim 1.

Accordingly, the combination of features recited in Applicants' claim 1 is thus clearly patentable over the above-noted document at least because the above-noted document does not disclose, teach, suggest or render obvious either (and thus inherently both) of the above noted two explicitly recited features of Applicants' claim 1.

Document 3 (JP 8 -- 256322) discloses a motion picture reproduction system that transmits video information to a terminal from a video server using bidirectional communication, in which characters and graphics are separately encoded to reproduce high quality images. The terminal reads out bit map codes stored in a user region of the motion picture codes, and reproduces the bit map data in a bit map decoder based on the codes, thus optimizing the transmission of data (see, for example, column 2, lines 18-44 of family member U.S. Patent No. 5, 699, 472).

Again, as noted previously, this document also does not disclose the above two noted features recited in Applicants' claim 1. In particular, this document does not disclose the program executor operable to interpret and "execute the predetermined codes for storing the designated images and the rendition time corresponding to each image in the storage memory". This document also does not disclose an image selector operable to "select at least one image of the plurality of images based on (a) the playback timing of the video included in the control information and (b) the rendition time corresponding to each image stored in the storage memory".

Accordingly, based upon the above-noted deficiencies of the third document, Applicants respectfully submit that claim 1 is clearly patentable thereover. In particular, document 3 also does not disclose, teach, suggest, or render obvious each of the above-noted and explicitly recited features of Applicants' claim 1.

In view of the above remarks, taken together with the discussion in the Petition filed on August 23, 2006, Applicants respectfully submit that the pending independent claim 1 and


claims 2-7 dependent thereon are not anticipated by any of the above-noted documents. Further, Applicants respectfully submit that the above-noted distinctions between the disclosures of the three noted documents and the recitations of Applicants' claim 1 are such that a person having ordinary skill in the art at the time of Applicants' invention would not have been motivated to modify or combine any of the above noted documents in such a manner as to result in or otherwise render obvious the present invention, as defined by claims 1-7. Accordingly, Applicants respectfully submit that claims 1-7 are patentable over the above-noted prior art documents.

In view of the present Request for Reconsideration, taken together with the petition filed on August 23, 2006, Applicants respectfully submit that all of the requirements (a) through (e) set forth in MPEP § 708.02(VIII) have been fully complied with. Accordingly, Applicants respectfully request that the petition to make special be granted and that the examination of this application be accelerated.

Moreover, at least for the reasons set forth above, it is respectfully submitted that the pending claims in the present application are clearly patentable over the prior art of record , and Applicants respectfully request such an indication from the Examiner, in due course.

Should there be any questions or comments regarding this paper, the pending petition or the present application, the Examiner is respectfully requested to contact Applicants representative at the below listed telephone number in order to properly resolve such issues and to enable the present application to be examined on the merits.

Respectfully submitted,
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